

MAIDSTONE BOROUGH COUNCIL

COUNCIL

17 JULY 2019

**REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE
HELD ON 3 JULY 2019**

**AUDIT, GOVERNANCE AND STANDARDS COMMITTEE – SELECTION
PROCESS FOR THE APPOINTMENT OF NON-VOTING PARISH COUNCIL
REPRESENTATIVES**

ISSUE FOR DECISION

To agree a selection process for the appointment of non-voting Parish Council representatives on the Audit, Governance and Standards Committee, in the event of more than one candidate being nominated by Parish Councils to fill a vacancy, and consequential amendments to the Council's Constitution.

RECOMMENDATIONS MADE

1. That if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, the selection process outlined below be followed culminating in a recommendation being made to the Council:

*Completion of an expression of interest form by each candidate in support of their nomination; and
Interview by the Democracy and General Purposes Committee if appropriate.*

2. That to facilitate this process, the following changes to the Constitution be agreed:

Part 2 – Responsibility for Functions

Section 2.2.9 – Democracy and General Purposes Committee

FUNCTIONS	DELEGATION OF FUNCTIONS
6. To be responsible for the appointment of independent persons to the Independent Remuneration Panel for Councillors' Allowances.	N/A

FUNCTIONS	DELEGATION OF FUNCTIONS
6. Consider applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct; and for the Independent Remuneration Panel and make recommendations to Council to appoint such persons.	N/A
7. In the event of more than one candidate being nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, to consider expressions of interest in support of the nominations, and make a recommendation to Council as to the person to be appointed. <i>Subsequent paragraphs to be renumbered</i>	N/A

REASONS FOR RECOMMENDATION

The Audit, Governance and Standards Committee now comprises nine Councillors plus two non-voting Parish Councillors appointed by the Council for a three year term of office.

The Hearing Panel, which is required to determine all complaints referred to it by the Monitoring Officer where a Member of a Council in the Borough is alleged to have breached their respective Councillors' Code of Conduct under the provisions of the Localism Act 2011, now consists of three Councillors (plus one non-voting Parish Councillor when a Parish Councillor is the subject of the complaint) drawn from the Audit, Governance and Standards Committee.

Parish Council representatives are appointed by the Council upon the nomination of the Maidstone Area Committee of the Kent Association of Local Councils (KALC) and any other Parish Councils in the Borough that are not members of KALC.

The Council agreed at its meeting on 12 December 2018 that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, then a selection process will be followed and the resulting candidate selected will be recommended to Council for appointment.

Acceptance of the recommendations will provide a transparent and consistent selection process within the Council's Constitution for the appointment of non-voting Parish Council representatives on the Audit, Governance and Standards Committee in the event of more than one candidate being nominated by Parish Councils to fill a vacancy.

ALTERNATIVES CONSIDERED AND WHY NOT RECOMMENDED

To do nothing, but the Council has agreed that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, then a selection process will be followed and the resulting candidate selected will be recommended to Council for appointment.

The Democracy and General Purposes Committee is already responsible for considering applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct and to serve on the Independent Remuneration Panel, and making recommendations to Council to appoint such persons.

BACKGROUND DOCUMENTS

Report to Democracy Committee 3 July 2019